

REPORT ON INSPECTION TO DETERMINE
COMPLIANCE WITH PCB REGULATIONS

Peerless Metals
124 South Military Street
Detroit, Michigan 48209

August 21, 2019

PERFORMED BY:

U.S. ENVIRONMENTAL PROTECTION AGENCY
PESTICIDES AND TOXIC SUBSTANCES BRANCH
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

PCB COMPLIANCE INSPECTION REPORT

I. OBJECTIVES

The inspection was conducted to document the facility's handling, storage and disposal practices and to determine its compliance with the PCB Regulations, 40 CFR Part 761, as published in the Federal Register of May 31, 1979, and as amended.

II. COMPANY IDENTIFICATION

Peerless Metals
124 South Military Street
Detroit, Michigan 48209

RESPONSIBLE OFFICIAL

Craig Willey, Task Manager, The Mannik and Smith Group Inc.

III. DATE OF INSPECTION

August 21, 2019

IV. PARTICIPANTS

Company

Grant Hilbers, Windsor Bridge Authority
Clayton Sereres Windsor Bridge Authority
Athier Thiab Bridging North America
Steve Cervi Bridging North America
Andrea Peak Bridging North America
Hal Aweng Michigan Department of Transportation
Craig Willey Mannik & Smith Group

U.S. EPA

Kendall Moore, Environmental Scientist

V. COMPANY BACKGROUND ☒ PCBs ☐ No PCBs discovered

The former Peerless Metals site is now owned by Michigan Department of Transportation (MDOT) and will be used as the landing site for the new Gordie Howe International Bridge between the United States and Canada. The Peerless site will be used for bridge footings and access to the location will be restricted and monitored. MDOT has enlisted the Mannik and Smith Group as it's environmental consultant. The bridge is a joint venture with

The purpose of this inspection is to determine if the PCBs on site are being properly managed prior to remediation.

VI. INSPECTION SUMMARY

Opening Conference

- A. The inspector(s) met with company officials as indicated in Section II, presented TSCA Inspection Credentials, explained the purpose of the inspection, and presented for signature the TSCA Inspection Forms as indicated below:

☒ Notice of Inspection
☒ TSCA Confidentiality Notice
☒ Receipt for Samples/Documents collected

B. Circumstances Applicable to this inspection

<input type="checkbox"/> Disposal	<input type="checkbox"/> Processing
<input checked="" type="checkbox"/> Marking	<input type="checkbox"/> Distribution
<input type="checkbox"/> Storage	<input type="checkbox"/> Authorizations
<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Record keeping
<input type="checkbox"/> None of the Above	

C. CITATION

☒ Not Applicable
☐ Citation issued on
☐ Response received on

D. Closing Conference

☒ The inspector(s) explained the three possible outcomes of the inspection and informed the company officials that a final determination and notification would be made by the Regional Office.

VII. SAMPLES/ PHOTOGRAPHS/ DOCUMENTS

☒ See Attachments as listed

VIII. ATTACHMENTS

- A. Notice of Inspection
TSCA Inspection Confidentiality Notice
Receipt for Samples and Document
- B. Photographs

IX. INSPECTOR'S COMMENTS

_____ Disposal X Marking _____ Use/Authorizations

_____ Storage _____ Record keeping _____ Manufacturing/

Processing _____ Distribution _____ Other

(Please include volume, quantity, dates, and circumstances for PCBs in each situation)

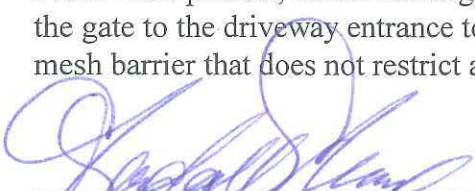
This location covers approximately 2-3 acres of land and was operated by Peerless Metals as a scrap metal recycling and refinishing facility. MDOT took possession of the property approximately a year ago and through its consultant, requested approval for a risk-based cleanup per 40 CFR 761.61(c). The request was submitted on September 9, 2013 and EPA approved on November 12, 2013. The approval addresses on site PCB contamination in several areas. As of 2016 those areas still have PCB concentrations above the 25ppm cleanup standard. Those PCB levels range from 25 and 8,800 ppm.

There appears to be no evidence that links the operation of Peerless Metals to the source of the PCBs. The site representatives believe the most likely source of the PCBs was the historical use of this site as a scrapyard prior to the purchase of the property by Peerless Metals.

Bridge construction is scheduled to completed by 2024. PCB remediation activities will have to be completed sometime prior to bridge completion.

During the facility walk-thru it is noted that all buildings have been razed and site is fenced on four sides with an opening to the east. The building footprint remains in place as a concrete slab measuring 3,000 square feet, and an assumed thickness of 12 inches.

It is noted that at the time of this inspection there were no M_L labels, or other indications that PCBs were present, on the fencing surrounding the site or on the gate leading into the site. Also, the gate to the driveway entrance to the site was missing and replaced with a 3 foot tall rubber mesh barrier that does not restrict access to the property.



Kendall Moore, Inspector

Julie Morris, Supervisor

ATTORNEY CLIENT PRIVILEGED

RELEASED

DATE 1/21/2020

FINDINGS AND CONCLUSIONS

RIN # 2020-000377

INITIALS JFW

FACILITY: Peerless Metals Inc

LOCATION: Detroit, Michigan

INSPECTION: August 21, 2019

SUMMARY OF FINDINGS: The area with PCB contamination was not marked and access to the site was not restricted.

ATTACHMENT A



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION

DATE 8/21/19 INSPECTION NO. 08211902 DAILY SEQ. NO. 02

3. FACILITY NAME

Peapack Metals

2. INSPECTOR'S ADDRESS

USEPA
77 W. Jackson Blvd.
Chicago, IL 60604

4. FACILITY ADDRESS

124 S. Military St.
Detroit, MI 48209

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures, articles containing same are manufactured, processed, stored or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyances being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act are applicable to the chemical substances, mixtures, or articles within, or associated with, such premise or conveyance have been complied with.

☐ In addition, this inspection extends to (check appropriate blocks):

- ☐ A. Financial data ☐ D. Personnel data
☐ B. Sales data ☐ E. Research data
☐ C. Pricing data

The nature and extent of inspection of such data specified in A through E above is as follows:

INSPECTOR'S SIGNATURE

[Signature]

NAME

Kendall Moore

TITLE

Environmental Engineer

DATE SIGNED

8/21/19

RECIPIENT'S SIGNATURE

[Signature]

NAME

Craig Willey ON BEHALF OF MDO

TITLE

TASK MANAGER - THE MANVILLE SMITH GROUP

DATE SIGNED

8/21/19



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460
TOXIC SUBSTANCES CONTROL ACT
TSCA INSPECTION CONFIDENTIALITY NOTICE

1. INVESTIGATION IDENTIFICATION

DATE 08/21/19 INSPECTION NO. 08211902 DAILY SEQ NO. 02

4. FACILITY NAME

Peerless Metals

2. INSPECTOR'S NAME

Kendall Moore

5. ADDRESS

124 S. Military
Detroit MI 48209

3. INSPECTOR'S ADDRESS

USEPA
77 W. Jackson Blvd
Chicago, IL 60604

6. NAME OF CHIEF EXECUTIVE OFFICER

TERPAUL C. AGEBA, DIRECTOR
HAROLD L. ZWENG JR.

7. TITLE

ENVIRONMENTAL MANAGER

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA.

Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI.

A CBI claim may be asserted at any time prior to, during, or after the information is collected. This notice was developed by EPA to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationary or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures.

While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).

3. The information is not publicly available elsewhere.

4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is CBI.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive CBI treatment.

The statement from the Chief Executive Officer should be addressed to:

Clydia Mass
(at above address)

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data will be handled under EPA's routine security system unless and until a claim is made.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE
I acknowledge receipt of this notice:

If there is no one on the premise who is authorized to make CBI claims for this facility, a copy of this notice and other inspection materials will be sent to the company's Chief Executive Officer. If there is another official who should also receive this information, please designate below.

SIGNATURE

[Signature]

NAME

NAME

HAROLD L. ZWENG JR.

TITLE

TITLE

ENVIRONMENTAL MANAGER
MICHIGAN DEPT. OF TRANSPORTATION

DATE SIGNED

8/21/2019

ADDRESS



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

RECEIPT FOR SAMPLES AND DOCUMENTS

1. INVESTIGATION IDENTIFICATION			2. COMPANY NAME
DATE 08/21/19	INSPECTION NO. 08211902	DAILY SEQ. NO. 02	Peerless Metals
3. INSPECTOR ADDRESS USEPA 77 W. Jackson Blvd. Chicago, IL 60604			4. COMPANY ADDRESS 124. S. Military Detroit, MI 48209

For internal EPA use. Copies of this form may be provided to recipient as acknowledgment of the documents and samples of chemical substances and/or mixture described below collected in connection with the administration and enforcement of the Toxic Substances Control Act.

RECEIPT OF DOCUMENT(S) AND/OR SAMPLE(S) DESCRIBED IS HEREBY ACKNOWLEDGED:

NO.	DESCRIPTION
6	photographs

OPTIONAL:

DUPLICATE OR SPLIT SAMPLES: REQUESTED AND PROVIDED ☐

NOT REQUESTED ☒

INSPECTOR SIGNATURE

CLAIMANT SIGNATURE

NAME

NAME

TITLE

DATE SIGNED

TITLE

DATE SIGNED

ATTACHMENT B

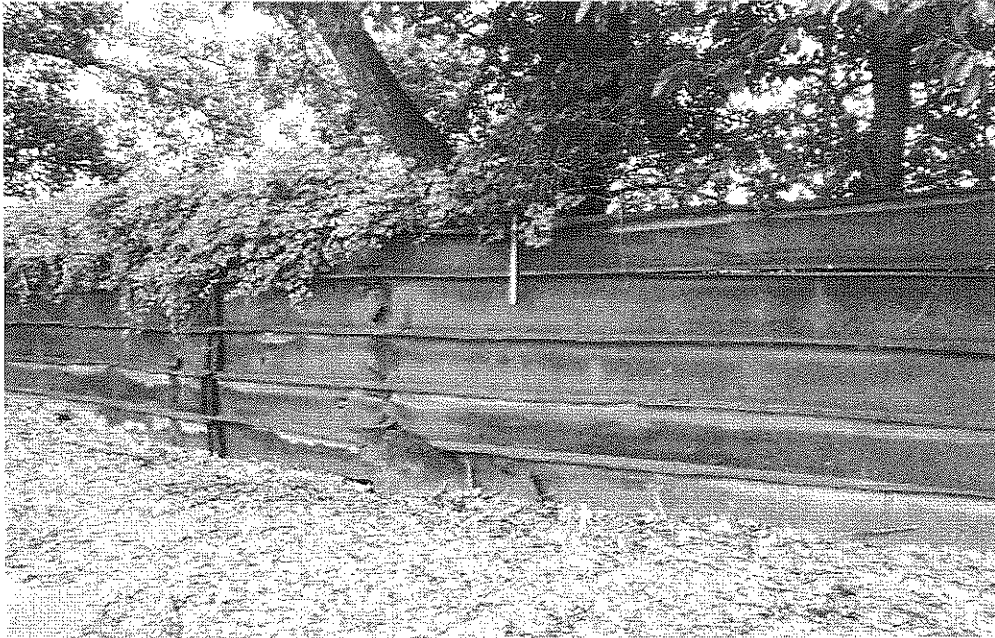


Figure 1 fencing around rear of site. taken Aug. 21, 2019 2:30pm



Figure 2 Fencing on sides of site taken Aug. 21, 2019 2:31pm

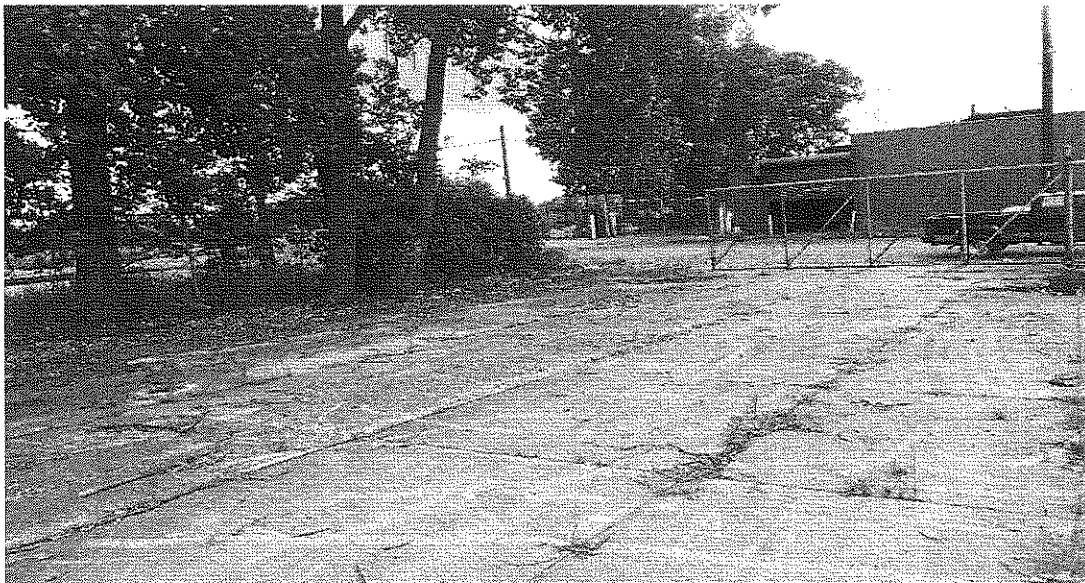


Figure 3 Fencing at front of property with gate missing Aug. 21, 2019 2:35pm

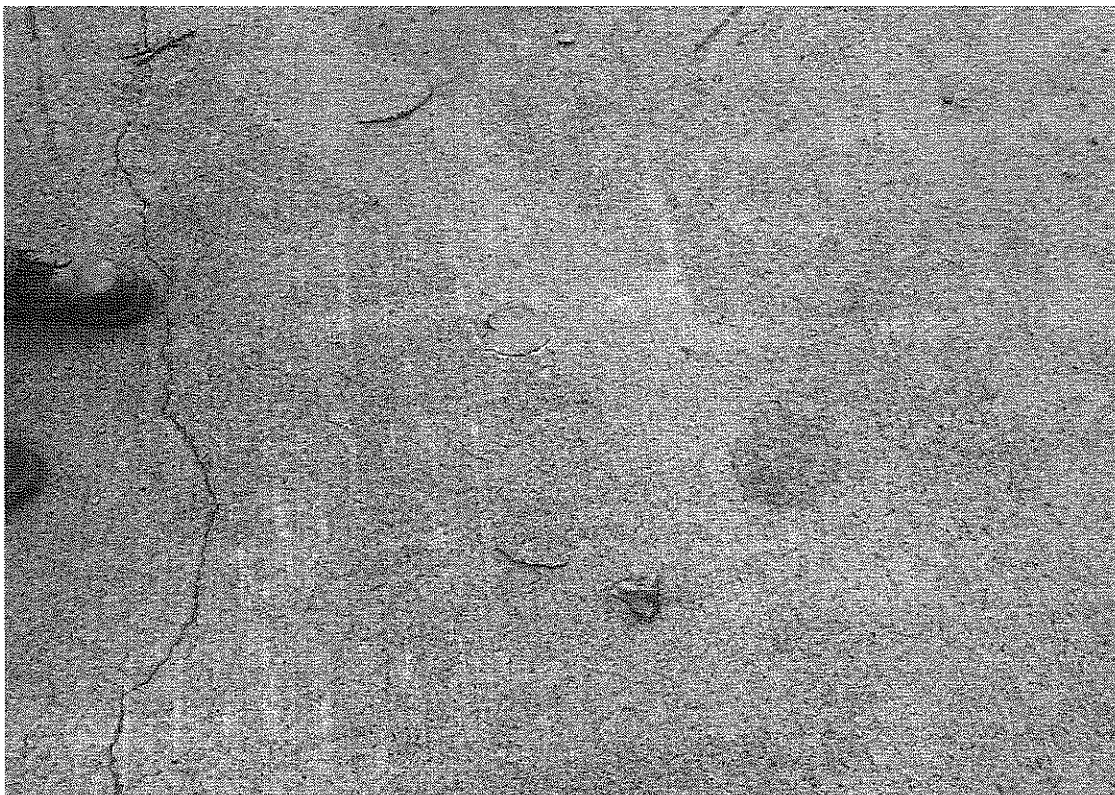


Figure 4 concrete slab with bore hole where highest PCB concentration was found Aug. 21, 2019 2:38pm